



4: Employing your personal assistant

A guide by Uemploy

www.uemploy.org.uk



@Uemploy



/Uemploy



Uemploy Ltd

Introduction

The logo for Uemploy, featuring the word "Uemploy" in a blue sans-serif font with a small orange circle containing a white person icon.

We support people with a learning disability to employ their own personal assistant.

We have 5 booklets about how to use your direct payment to employ a personal assistant:

1. Getting a direct payment
2. Designing your personal assistant (PA)
3. Finding your personal assistant (PA)
- 4. Employing your personal assistant (PA)**
5. Being a good employer



employ

This booklet is stage 4: employing your personal assistant (PA). In this booklet we talk about:



talk

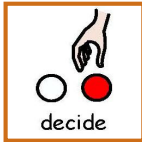
- offering your PA the job
- checking if your PA is right for the job
- writing the contract



contact

Please get in touch with a Uemploy Consultant if you want to find out more after reading this guide. You can find our contact details at the end of this booklet.

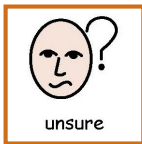
Offering your PA the job



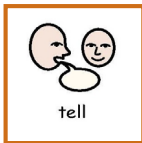
After you have done the interviews, decide who you think will be the best person for the job.



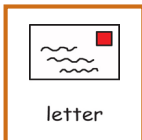
Speak to your friends and family if you want and look at the job description and person specification and competencies again.



If you are not sure that anyone is right for the job, you could do a second interview or even advertise the job again.



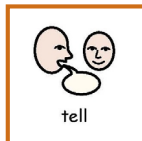
Once you have decided who you want to be your personal assistant (PA), you need to tell them that they have got the job.



You might want to write an offer letter, which says that you want to give them the job. You need to tell them that you will do some checks before you employ them.



This may include checking their references and checking if they have any criminal convictions.



Once they have accepted the job offer, you should tell the other people you interviewed that they have not got the job. Make sure you thank them for coming to the interview.

Checking if your PA is right for the job



Before you employ someone, you have to do some checks. You must check that they are allowed to work in the United Kingdom.



You should also check their references. You might want to check they are well enough to do the work and check if they have any criminal convictions.

Working in the United Kingdom

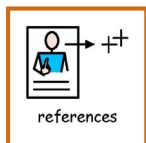


You must check that the person is allowed to work here, even if they are British and were born in the United Kingdom.



There is a link to the gov.uk website at the end of this booklet with information on how to check this.

References



A reference is from the person or the company your new personal assistant (PA) worked for before. It will tell you whether they were good at their job and whether there were any problems.



Other types of references are from people who know your new personal assistant (PA) well and can say what type of person they are.

Checking if your PA is right for the job



You should ask your new personal assistant (PA) to tell you who can give you a reference. You can get the reference in writing or on the phone.



You could also speak to the people who give written references to make sure they are telling the truth about the person.



Health

You may want to check if your new personal assistant (PA) is well enough to do the job you want them to do. If they have any health problems or support needs, think about what you can do to help them do the job.



The Equality Act is a law that says that all employers must make reasonable adjustments to allow someone to work for them. This includes things like making a building accessible to someone in a wheelchair.



Before you decide not to employ them because of their health, you should check you have done everything the Equality Act says you have to.

Checking if your PA is right for the job



Criminal convictions

A Disclosure and Barring Service (DBS) check in England and Wales or a Protection of Vulnerable Groups (PVG) check in Scotland tells you whether someone has been convicted of an offence.



This means that a court has said they are guilty of breaking the law.



There are also checks to tell you if someone is allowed to work with vulnerable children or adults or if they are not allowed.



If you are a vulnerable adult and your personal assistant (PA) will be doing certain work, you may be able to check if they have any criminal convictions before they start to work for you.



This will help to keep you and the people around you safe.



If someone has a conviction, you might still be able to employ them, but it will depend on what they have done. Speak to your Local Authority or a support group about completing a check.

Writing a contract



Once you have found a personal assistant (PA), you need to write a contract.



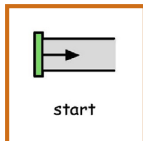
A contract is a legal agreement between you and your personal assistant (PA). It gives details about the work they will do.



You need to give someone a contract within 2 months of them starting work with you. It is best to have a written contract as soon as possible so that everyone is clear on what you have agreed.



You both need to sign the contract and you each need to keep a copy of the contract.



Even if you do not write a contract with your personal assistant (PA), there will be a type of contract between you as soon as you offer them the job and they start work.



This means you should be careful about offering someone the job and make sure you write down a contract as soon as you can so that you are both protected.



Read booklet 5: being a good employer to find out more about these things.

Writing a contract



The contract should include:

- your names
- the job title (personal assistant)
- the place of work (for example your home)
- the start date
- the notice period (how much warning you each give before you can end the contract)
- the salary and when you will pay them
- the hours of work
- holiday leave and pay (what to do if they want to go on holiday)
- sick leave and pay (if they are ill)
- pensions
- discipline and complaints (what to do if either of you is unhappy)



Having a contract will protect you both from sudden changes and make sure you both agree how you will work together. Uemploy can help you write a contract to get these things right.



When you write your contract, you will need to decide some things like how much to pay your personal assistant (PA). Read booklet 5: being a good employer for information on this.

How Uemploy can help



Your Uemploy consultant can support you at every stage of getting a personal assistant (PA).

At this stage, we can support you by:



- arranging second interviews
- sending offer letters
- doing employment checks
- writing the contract



We can support you in the way that you want. We use a variety of person-centred tools and communication methods to help you think about your options, decide what you want and share your decision.



Contact us to tell us how we can work with you. Call 0300 303 8163 or send an e-mail to: enquiries@uemploy.org.uk.

Please note: while we have tried to make sure the information in this booklet is correct, it is not legal advice and we cannot guarantee its accuracy.

Neither Uemploy Ltd nor any other Thera Group company can accept responsibility for any liability if you use any of the information given. We recommend that you check with your Local Authority for up-to-date information for your area.

Extra help and information



There are lots of resources that can help you to find a personal assistant (PA). They include:

Employing people

www.gov.uk/browse/employing-people

Equality Act guidance for employers

www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers

National minimum wage

www.gov.uk/national-minimum-wage

PA Toolkit

www.skillsforcare.org.uk/entry_to_social_care/recruitment/employingpersonalassistants.aspx

Pensions

www.gov.uk/browse/working

Working in the United Kingdom

www.gov.uk/legal-right-to-work-in-the-uk

There will also be local organisations and information that you can use.



Don't forget, you can talk to Uemploy. Visit www.uemploy.org.uk or call 0300 303 8163.

Your notes and ideas

Contact us



If you want to know more about Uemploy,
please get in touch.

0300 303 8163
enquiries@uemploy.org.uk

www.uemploy.org.uk



The West House
Alpha Court
Swingbridge Road
Grantham
Lincolnshire
NG31 7XT

You can also join us online:



@Uemploy



/Uemploy



Uemploy Ltd

© Uemploy 2013

Uemploy is part of the Thera Group of companies.
Uemploy is a company limited by guarantee, company
number 08114936.

Widgit Literacy Symbols © Widgit Software 2013